

---

By: **Delegates Goldwater, Barkley, Benson, Boutin, Bromwell, Bronrott, Cardin, Costa, Donoghue, Dumais, Elliott, Frush, Gutierrez, Hammen, Harrison, Haynes, Hubbard, Lee, Mandel, McDonough, Montgomery, Morhaim, Murray, Nathan-Pulliam, Oaks, Pendergrass, Rosenberg, Rudolph, Smigiel, V. Turner, and Weldon**

Introduced and read first time: February 7, 2003  
Assigned to: Health and Government Operations

---

A BILL ENTITLED

1 AN ACT concerning

2 **Task Force to Study the Regulation of Long-Term Care Providers**

3 FOR the purpose of establishing the Task Force to Study the Regulation of  
4 Long-Term Care Providers; providing for the composition of the Task Force;  
5 requiring the President of the Senate and the Speaker of the House to jointly  
6 appoint co-chairs from among the Senate and the House members appointed to  
7 the Task Force; providing for the staffing of the Task Force; prohibiting a  
8 member from receiving certain compensation; authorizing a member of the Task  
9 Force to receive certain reimbursement; authorizing the Task Force to contract  
10 with experts, subject to the State budget; requiring the Task Force to review  
11 certain licensing, renewal, and audit requirements for long-term care providers  
12 and study certain issues relating to the regulation of long-term care providers;  
13 requiring the Task Force to make certain recommendations; requiring the Task  
14 Force to report its findings and recommendations to certain committees on or  
15 before certain dates; providing for the termination of this Act; and generally  
16 relating to the Task Force to Study the Regulation of Long-Term Care  
17 Providers.

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
19 MARYLAND, That:

20 (a) There is a Task Force to Study the Regulation of Long-Term Care  
21 Providers.

22 (b) The Task Force consists of the following 13 members:

23 (1) two members of the Senate of Maryland, appointed by the President  
24 of the Senate;

25 (2) two members of the House of Delegates, appointed by the Speaker of  
26 the House;

1 (3) the Secretary of Health and Mental Hygiene, or the Secretary's  
2 designee;

3 (4) the Secretary of Aging, or the Secretary's designee;

4 (5) one representative from the Health Facilities Association of  
5 Maryland, designated by the Health Facilities Association of Maryland;

6 (6) one representative from the Maryland Association of Adult Day Care  
7 Centers, designated by the Maryland Association of Adult Day Care Centers;

8 (7) one representative from the Maryland Continuing Care Residents'  
9 Association, designated by the Maryland Continuing Care Residents' Association;

10 (8) one representative from Mid-Atlantic LifeSpan, designated by  
11 Mid-Atlantic LifeSpan; and

12 (9) three consumer members, appointed by the Governor.

13 (c) The President of the Senate and the Speaker of the House jointly shall  
14 appoint co-chairs from among the Senate and the House members appointed to the  
15 Task Force.

16 (d) The Department of Legislative Services shall provide staff for the Task  
17 Force.

18 (e) A member of the Task Force:

19 (1) may not receive compensation; but

20 (2) is entitled to reimbursement for expenses under the Standard State  
21 Travel Regulations, as provided in the State budget.

22 (f) The Task Force may contract with an expert, subject to the State budget, if  
23 the services of an expert are required.

24 (g) The Task Force shall:

25 (1) review all licensing, renewal, and audit requirements for long-term  
26 care providers, as established in law and regulation by State, local, and third-party  
27 regulators;

28 (2) identify any duplicative regulatory requirements for long-term care  
29 providers;

30 (3) quantify the resources required by the Department of Health and  
31 Mental Hygiene and other State agencies, including contractors, to implement the  
32 licensing, renewal, and auditing of long-term care providers;

33 (4) calculate the frequency at which licensing, renewal, and audit  
34 requirements are completed by State and local agencies;

1 (5) calculate the average time period required for the completion of  
2 licensing, renewal, and audit requirements by State and local agencies;

3 (6) review the mechanisms available to long-term care providers to  
4 contest adverse findings in the licensing, renewal, and audit process, including the  
5 use of informal provider dispute resolution;

6 (7) study the types of penalties assessed against each type of long-term  
7 care provider;

8 (8) conduct an analysis of duplicative penalties for licensing or audit  
9 violations and the consistency and effectiveness of the penalties and enforcement  
10 actions;

11 (9) quantify the administrative resources required for providers to  
12 comply with and respond to the required licensing, renewal, and audit processes;

13 (10) identify the current qualifications and training required of long-term  
14 care surveyors;

15 (11) study the role of local governments in licensing and enforcing the  
16 licensing, renewal, or audit of long-term care providers; and

17 (12) identify best practices for the regulation of long-term care providers  
18 promoted by the long-term care industry or State, local, or national regulators.

19 (h) The Task Force shall make recommendations based on its study, including  
20 regulatory revisions necessary to promote:

21 (1) the delivery of quality care;

22 (2) administrative efficiencies and reduced regulatory duplication;

23 (3) meaningful provider dispute resolution and appeal processes;

24 (4) effective communications between State and local agencies and  
25 long-term care providers;

26 (5) consistency in audit findings;

27 (6) reasonable processes for penalties and sanctions against long-term  
28 care providers;

29 (7) standardized training of long-term care surveyors to promote  
30 consistent survey results;

31 (8) efficient coordination of State and local regulatory efforts; and

32 (9) best practices for the regulation of long-term care providers.

1 (i) (1) The Task Force shall submit reports in accordance with paragraph  
2 (2) of this subsection on its findings and recommendations, in accordance with §  
3 2-1246 of the State Government Article, to the Senate Finance Committee and the  
4 House Health and Government Operations Committee.

5 (2) The Task Force shall submit an interim report on or before October 1,  
6 2003 and a final report on or before January 1, 2004.

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
8 July 1, 2003. It shall remain effective for a period of 1 year and, at the end of June 30,  
9 2004, with no further action required by the General Assembly, this Act shall be  
10 abrogated and of no further force and effect.